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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Jean-Louis GUERET

Group Art Unit: 3732

Application No.: 10/779,725

Examiner: R. RUNNING

Filed: February 18, 2004

Docket No.: 118556

For: A PACKAGING AND APPLICATOR DEVICE FOR A COSMETIC OR ANOTHER CARE PRODUCT

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the December 8, 2005 Election of Species Requirement, Applicant provisionally elect Species I, drawn to a brush endpiece, with traverse.

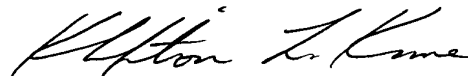
At least claims 1-27 and 29-41 are readable on the elected species. At least claims 1-25 and 29-41 are generic to all species.

It is respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid

unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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WPB:KLK/slh

Date: January 5, 2006

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